

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PAUL D. CEGLIA,

Civil Action No. : 1:10-cv-00569-RJA

Plaintiff,

v.

**DECLARATION
OF
ROBERT GIANADDA**

MARK ELLIOT ZUCKERBERG, Individually, and
FACEBOOK, INC.

Defendants.

ROBERT GIANADDA, submits this declaration and hereby declares under penalty of perjury and pursuant to 28 U.S.C. 1746 and under the laws of the United States that the following is true and correct:

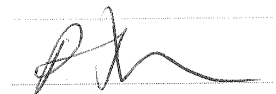
1. I make this declaration upon personal knowledge.
2. I am a certified videographer through the American Guild of Court Videographers (AGCV).
3. That certification involves a training course and test administered at the end of the course. That certification covers laws governing videos, depositions along with the proper way to document legal proceedings.
4. I have held that certification since 2005.
5. I have videotaped a wide variety of events related to legal proceedings including crime scenes, accident scenes, independent medical examinations and depositions.

6. I also do post-accident photography including medical photography.
7. I have been hired by specific parties in cases and also hired jointly by both parties in other cases as I was in this case.
8. My role in this case was that of a disinterested third party documenting the events on video.
9. I was retained by both parties in this case, with half of my fee paid by each party, to document on video the examination of the Facebook Contract at the offices of Harris Beach law firm in Buffalo New York, from July 14, 2011 through July 19, 2011.
10. I was also the videographer for the events taking place in Chicago, Illinois on July 25, 2011.
11. I was also the videographer for the events taking place back at the offices of Harris Beach on August 27, 2011.
12. Paul Argentieri spoke to me the morning of July 14, 2011 before the documents were removed from the envelope that he had in his possession.
13. Paul Argentieri said to me as he placed the two documents on the table of the conference room words to the effect of "this is the two page document" and then, "this is the six page document."
14. I was standing approximately three feet from the documents as they were laid out on the conference room table.
15. I observed the documents both with my eyes unaided by the video camera and through the lens of the video camera.

16. I did not notice anything out of the ordinary regarding the documents.
17. They looked like white documents, eight total white pages.
18. I recorded the video for this case onto a Secure Digital Memory Card.
19. I downloaded that video footage on to my computer and transferred it directly to a DVD disk.
20. No processing, editing, or any other software was used on this video at any time.

I hereby and hereby declare under penalty of perjury and pursuant to 28 U.S.C. 1746 and under the laws of the United States that the following is true and correct:

DATED: November 10, 2011.

A handwritten signature in black ink, appearing to read 'R. Gianadda', is written over a horizontal dotted line.

Robert Gianadda

Declarant